

**PUBLIC SAFETY DEPARTMENT[661]**

**Adopted and Filed Emergency**

Pursuant to the authority of Iowa Code section 100.18, the State Fire Marshal hereby amends Chapter 210, "Smoke Detectors," Iowa Administrative Code.

Iowa Code section 100.18 delegates to the State Fire Marshal authority to require smoke detectors in residences and to regulate the devices used. Last year, the State Fire Marshal adopted a requirement that smoke detectors installed on or after October 1, 2008, would be required to be dual sensor smoke detectors, using both ionization and photoelectric sensors. The effective date of this requirement has twice been delayed and is now set at October 1, 2009. Further delays in the ready availability of the dual sensor detectors are evident, and this rule making is being undertaken to delay the effective date again, until April 1, 2010. In addition, the amendment adopted herein changes the reference in subrule 210.2(2) from the 2005 edition of the National Electrical Code to the 2008 edition, which is consistent with a previous rule making regarding requirements for electrical installations in Iowa.

Pursuant to Iowa Code section 17A.4(3), the State Fire Marshal finds that notice and public participation are unnecessary because confusion will likely result if the current rule is not amended promptly, as it is likely that compliance will be impractical or impossible.

Pursuant to Iowa Code section 17A.5(2), the State Fire Marshal further finds that the normal effective date of this amendment, 35 days after publication, should be waived and the amendment made effective September 1, 2009. The public will benefit from a delay in implementation of the requirement for use of dual sensor smoke detectors, as compliance with the requirements on the date set by the current rule is likely to be impractical.

This amendment is also being proposed in a Notice of Intended Action, published herein as **ARC 8150B**. In addition, the Notice of Intended Action contains amendatory language regarding the circumstances under which the dual sensor smoke detector requirement will apply, as well as language regarding the required locations of dual sensor smoke detectors.

This amendment is intended to implement Iowa Code section 100.18.

This amendment became effective September 1, 2009.

The following amendment is adopted.

Amend subrules 210.2(1) to 210.2(3) as follows:

**210.2(1)** Approved single station smoke detectors shall be acceptable in all areas covered by this chapter, unless other fire warning equipment or materials are required by any provision of 661—Chapter 201, 202, or 205. Any single station smoke detector installed on or after ~~October 1, 2009~~ April 1, 2010, in compliance with this subrule, including a replacement of an existing detector, shall be a dual sensor smoke detector. If sufficient dual sensor smoke detectors have been installed to comply with the requirements of this chapter, additional smoke detectors which may be other than dual sensor detectors may be installed.

**210.2(2)** Any installation of wiring and equipment shall comply with NFPA 70, National Electrical Code, ~~2005~~ 2008 edition, and requirements established by the manufacturer of the equipment serviced by the wiring.

**210.2(3)** All devices, combinations of devices, and equipment to be installed in conformity with this chapter shall be approved and used for the purposes for which they are intended. Any smoke detector installed on or after ~~October 1, 2009~~ April 1, 2010, in compliance with this chapter, including a replacement of an existing detector, shall be a dual sensor smoke detector. If sufficient dual sensor

smoke detectors have been installed to comply with the requirements of this chapter, additional smoke detectors which may be other than dual sensor detectors may be installed.

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